



Rule Fact Sheet

September 6, 2001

Wastewater Management Activities

LSA Document #97-7

Overview

Draft rule language has been developed for new rules concerning management of wastewater from sewage disposal systems. The new article, 327 IAC 7.1, would replace 327 IAC 7, which has not been substantively updated since 1987 recent legislative amendments to the wastewater management statute, IC 13-18-12, allow longer term permits, licenses and approvals to be issued for various wastewater management activities and also provide specifically for the revocation or modification of those permitting mechanisms. These amendments are implemented through this rulemaking. The requirements of EPA regulations regarding the land application of wastewater, 40 CFR Part 503 and 40 CFR 257 Subpart A are included in this rule, as are the requirements of the recently adopted State ground water quality standards.

Citations Affected

327 IAC 7.1; 327 IAC 7

Affected Persons

Individuals who are involved with the cleaning of sewage disposal systems, wastewater transportation, wastewater disposal, and related business activities.

Reason(s) for the Rule

The purpose of this rulemaking is to update rule requirements to be consistent with Indiana statutes federal regulations and available industry technology.

Economic Impact of the Rule

The Indiana Department of Environmental Management (IDEM) has determined that the proposed rule will have minimal economic impact on state or local governments or the regulated community.

Benefits of the Rule

The rule will increase the duration of wastewater management permits, hauling vehicle licenses and

- 4) The nature of the existing air quality or existing water quality, as appropriate.

land application approvals from one (1) year to three (3) years, providing an administrative cost savings to IDEM and the regulated community. In addition, portions of the rule that were outdated or did not provide any environmental benefit have been deleted. Additional environmental protections are proposed for wastewater transportation, treatment, storage and disposal activities. Because many of the additional land application standards are already required under federal rules, these changes will result in a minimal increase in costs to the regulated community.

Description of the Rulemaking Project

This rulemaking develops new language that will update federal and state requirements of individuals conducting wastewater activities. General issues to be addressed in the rule include: implementation of 40 CFR 503 and 40 CFR 257; location and construction of wastewater storage and treatment areas; land application site requirements and land application rates; and vehicle tank and truck requirements.

Scheduled Hearings

First Public Hearing was originally scheduled for September 12, 2001, 1:30 p.m., Indiana Government Center South, 402 West Washington Street, Conference Center Room A, but not held on that date. The first hearing will be renoticed in the Indiana Register.

Consideration of Factors Outlined in Indiana Code 13-14-8-4

Indiana Code 13-14-8-4 requires that in adopting rules and establishing standards, the board shall take into account the following:

- 1) All existing physical conditions and the character of the area affected.
- 2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.
- 3) Zoning classifications.
- 5) Technical feasibility, including the quality conditions that could be reasonably be achieved

through coordinated control of all factors affecting the quality.

6) Economic reasonableness of measuring or reducing any particular type of pollution.

(7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to:

(A) human, plant animal, or aquatic life; or

(B) the reasonable enjoyment of life and property.

Consistency with Federal Requirements

The new rule language will update state requirements to be consistent with federal standards for land application of wastewater under 40 CFR 503 and 40 CFR 257 Subpart A.

Rulemaking Process

The first step in the rulemaking process is a first notice published in the *Indiana Register*. This includes a discussion of issues and opens a first comment period. The second notice is then published which contains the comments and the department's responses from the first comment period, a notice of first meeting/hearing, and the draft rule. The Water Pollution Control Board holds the first meeting/hearing and public comments are heard. The proposed rule is published in the *Indiana Register* after preliminary adoption along with a notice of second meeting/ hearing. If the proposed rule is substantively different from the draft rule, a third comment period is required. The second public meeting/hearing is held and public comments are heard. Once final adoption occurs, the rule becomes effective 30 days after filing with the Secretary of State.

IDEM Contact

Additional information regarding this rulemaking action can be obtained from Pam Koons, Rules, Planning and Outreach Section, Office of Land Quality, (317) 232-8899 or (800) 451-6027 (in Indiana).